

07-23-01

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 5079P013

(maximum 12 characters)

First Named Inventor Tamir TassaTitle: METHOD FOR ALLOCATING MEDIA UNIT SEQUENCES AMONG A PLURALITY OF OUTPUT CHANNELSExpress Mail Label No. EL617183410US

ADDRESS TO: Assistant Commissioner for Patents
 Box Patent Application
 Washington, D. C. 20231

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. x **Fee Transmittal Form (e.g., PTO/SB/17)**
 (Submit an original, and a duplicate for fee processing)
2. x **Applicant Claims Small Entity Status. (37 CFR 1.27)**
3. x **Specification (Total Pages 30)**
 (preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference sequence listing, a table,
 or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. x **Drawings(s) (35 USC 113) (Total Sheets 3)**
5. x **Oath or Declaration (Total Pages 4)**
 - a. Newly Executed (Original or Copy)
 - b. Copy from a Prior Application (37 CFR 1.63(d))
 (for Continuation/Divisional with Box 17 completed)
 - i. DELETIONS OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
 - c. x Unsigned.
6. **Application Data Sheet. (37 CFR 1.76)**
7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
 (if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies), or
 - ii. paper
 - c. Statement verifying identity of above copies

07/19/01
 1c812 U.S. PTO

1c872 U.S. PTO
 09/909490
 07/19/01

09909490-071901

ACCOMPANYING APPLICATION PARTS

9. ☐ **Assignment Papers (cover sheet & documents(s))**
10. ☐ a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
10. ☒ b. Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ a. Information Disclosure Statement (IDS)/PTO-1449
12. ☒ b. Copies of IDS Citations
13. ☐ **Preliminary Amendment**
14. ☒ **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ **Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**
17. ☒ Other: A copy of the postcard w/express mail stamp (1 pg.)

18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)
 Of Prior Application No.: _____ Examiner _____ Group Art Unit _____
 (which is a ☐ continuation/ ☐ divisional/ ☐ CIP of prior application no. _____,
 which is a ☐ continuation/ ☐ divisional/ ☐ CIP of prior application no. _____) (List entire chain of priority)

Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.
For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18B. Statement under 37 CFR 3.73(b) for continuing application:

The undersigned states that _____ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. _____ Frame No. _____ (or a copy of which is attached).

19. Correspondence Address

☒ Customer Number or Bar Code Label 08791
 or (Insert Customer No. or Attach Bar Code Label here)
☒ Correspondence Address Below

NAME Tarek N. Fahmi
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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CITY Los Angeles STATE California ZIP CODE 90025-1026

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Name (PRINT/TYPE): Tarek N. Fahmi Registration No.: 41,402

Signature: [Signature] Date: 7/19/01

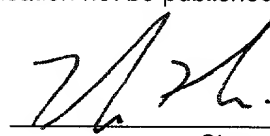
T05120 05150500

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)First Named Inventor Tamir TassaTitle METHOD FOR ALLOCATING MEDIA UNIT SEQUENCES AMONG A PLURALITY OF OUTPUT CHANNELSAttorney Docket No. 5079P013

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

7/19/01

Date



Signature

Tarek N. Fahmi

Typed or Printed Name

41,402

Registration No.

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months after the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Send to: Assistant Commissioner for Patents, Washington, D.C. 20231

105140 05460600

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Code</u>	<u>Fee (\$)</u>	<u>Code</u>	<u>Fee (\$)</u>		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	For filing a submission after final rejection (see 37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (see 37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
195	300	195	300	Publication fee for early, voluntary, or normal publication	
196	300	196	300	Publication fee for republication	
194	130	194	130	Request for voluntary publication or republication	
098	130	098	130	Processing fee under 37 CFR 1.17(i)	
091	1,240	091	1,240	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 0.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Tarek N. FahmiSignature: [Signature]Date: 7/19/01Reg. Number: 41,402Telephone Number: 408.947.8200

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Serial/Patent No.: ***** Filing/Issue Date: Herewith
Client: BIGBAND NETWORKS, INC.
Title: METHOD FOR ALLOCATING MEDIA UNIT SEQUENCES AMONG A PLURALITY OF OUTPUT CHANNELS
BSTZ File No.: 5079P013 Atty/Secty Initials: TNF/pab
Date Mailed: 7/13/01 Docket Due Date: _____

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

<input type="checkbox"/> Amendment/Response (____ pgs.)	<input checked="" type="checkbox"/> Express Mail No.: <u>EL617183410US</u> <input checked="" type="checkbox"/> Check No. <u>285</u>
<input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate)	<input type="checkbox"/> _____ Month(s) Extension of Time Amt: <u>\$751.00</u>
<input checked="" type="checkbox"/> Application - Utility (<u>30</u> pgs., with cover and abstract)	<input checked="" type="checkbox"/> Information Disclosure Statement & PTO 148 (<u>3</u> pgs.) <input type="checkbox"/> Check No. _____
<input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.)	<input type="checkbox"/> Issue Fee Transmittal Amt: _____
<input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.)	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.)	<input type="checkbox"/> Petition for Extension of Time
<input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.)	<input type="checkbox"/> Petition for _____
<input type="checkbox"/> Application - Design (____ pgs.)	<input checked="" type="checkbox"/> Postcard
<input type="checkbox"/> Application - PCT (____ pgs.)	<input type="checkbox"/> Power of Attorney (____ pgs.)
<input type="checkbox"/> Application - Provisional (____ pgs.)	<input type="checkbox"/> Preliminary Amendment (____ pgs.)
<input type="checkbox"/> Assignment and Cover Sheet	<input type="checkbox"/> Reply Brief (____ pgs.)
<input checked="" type="checkbox"/> Certificate of Mailing (<u>Express Mail</u>)	<input type="checkbox"/> Response to Notice of Missing Parts
<input checked="" type="checkbox"/> Declaration & POA (<u>4</u> pgs.) (<u>Unsigned</u>)	<input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business
<input type="checkbox"/> Disclosure Docs & Orig & Copy of Invention Signed Letter (____ pgs.)	<input checked="" type="checkbox"/> Transmittal Letter, in duplicate (<u>2</u> pgs.)
<input checked="" type="checkbox"/> Drawings: <u>3</u> # of sheets includes <u>3</u> figures	<input checked="" type="checkbox"/> Fee Transmittal, in duplicate (<u>2</u> pgs.)

☒ Other: Request and Certification Under 35 USC 122(b)(2)(B)(i) (1pg) and References cited onto PTO-1449 (1 pg.) and a copy of the postcard w/express mail stamp.

"Express Mail" mailing label number: EL617183410US
Date of Deposit: July 19, 2001
I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231
Patricia A. Barro
(Typed or printed name of person mailing paper or fee)
[Signature]
(Signature of person mailing paper or fee)
7/19/01
(Date signed)